

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

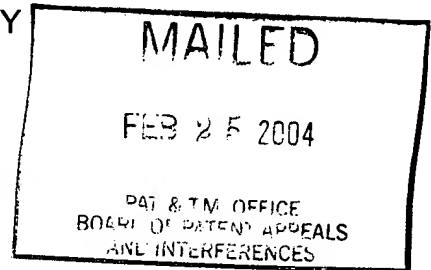
Paper No. 49

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SEAN HANDEL, BRIAN DAY
and MIYA YUEN

Appeal No. 2003-1839
Application 09/195,852¹



ORDER REMANDING TO EXAMINER

A Supplemental Information Disclosure Statement was filed on February 2, 2004 (Paper No. 48). It is not apparent from the record that the examiner considered the statement submitted nor notified applicants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

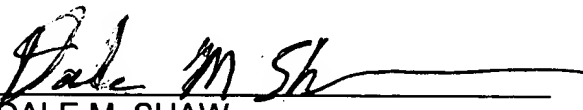
¹ Application for patent filed November 19, 1998.

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ORDERED that the application is remanded to the Examiner for such consideration of the Supplemental Information Disclosure Statement and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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